

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION)) MDL No. 1456) Master File No. 01-12257-PBS) Subcategory Case No. 03-10643-PBS)
THIS DOCUMENT RELATES TO: <i>The City of New York, et. al.</i> v. <i>Abbott Laboratories, et al.</i>)) Judge Patti B. Saris))))))

**STIPULATION FOR TWO-DAY EXTENSION OF TIME FOR GSK TO SUBMIT
ITS SUPPLEMENTAL BRIEF IN SUPPORT OF ITS MOTION FOR PARTIAL
SUMMARY JUDGMENT IN THE NEW YORK COUNTY CASES**

Pursuant to a prior Stipulation, Plaintiffs the City of New York, et al., and defendant GSK agreed to a schedule for the submission of an additional brief by each side concerning certain rebate issues related to the WAC List Price Test that forms the basis for GSK's Motion for Partial Summary Judgment. GSK's supplemental submission is currently due on June 30, 2009. The Parties have agreed that GSK may have a two-day extension to prepare its supplemental submission, so that GSK's submission will now be due on July 2, 2009.

The parties may request an additional oral argument with respect to GSK's motion for partial summary judgment and the rebate issues to be scheduled by the Court at its convenience after July 2, 2009.

Dated: June 29, 2009

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("GSK")

SO ORDERED:

Honorable Judge Patti B. Saris, U.S.D.J.

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Stipulation was delivered to all counsel of record by electronic service via LexisNexis File & Serve, pursuant to the Court's Case Management Order No. 2, on June 29, 2009.

/s/ Frederick G. Herold
Frederick G. Herold